

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>DONALD PYLES;</b>	)	
<b>SUSAN SCHROEDER</b>	)	
	)	
on behalf of themselves and all others	)	
similarly situated,	)	
	)	Case No. 3:18-cv-00152-TMP
Plaintiffs,	)	Judge Thomas M. Rose
	)	
vs.	)	
	)	
<b>NICOR ENERGY SERVICES</b>	)	
<b>COMPANY,</b>	)	
	)	
Defendant.	)	

**ORDER GRANTING JOINT MOTION TO LIFT STAY AND TRANSFER VENUE TO  
THE SOUTHERN DISTRICT OF INDIANA**

This matter is before the Court on the Parties’ Joint Motion to Lift Stay and Transfer Venue to the Southern District of Indiana. (Dkt. No. 14.) Plaintiffs Donald Pyles and Susan Schroeder and Defendant Nicor Energy Services Company have moved for this case to be transferred to the Southern District of Indiana so that it can be heard along with another similar action pending before U.S. District Judge William T. Lawrence, *Plummer v. Nicor Energy Services Company*, No. 1:17-cv-02177-WTL-MPB (the “*Plummer* Action”).

A district court may transfer the venue of any civil action to another district or division where it could have been brought or to any district or division to which all parties have consented. 28 U.S.C. § 1404(a). The change of venue provision “is to prevent the waste of time, energy and money and to protect litigants, witnesses and the public against unnecessary inconvenience and expense.” *Van Dusen v. Barrack*, 376 U.S. 612, 616 (1964) (internal quotation marks omitted).

“District courts have wide discretion in deciding motions to transfer.” *Zimmer Enterprises, Inc. v. Atlandia Imports, Inc.*, 478 F. Supp. 2d 983, 990 (S.D. Ohio 2007). When considering a motion to transfer courts “examine whether a transfer would prevent wastes of time, energy and money, as well as whether a transfer would protect the litigants, witnesses and the public against unnecessary inconvenience and expense.” *Id.*

Here, the Parties jointly move this Court to transfer this action to the United States District Court for the Southern District of Indiana, Indianapolis Division, to be heard along with a pending class action there against the same defendant. Since this is a joint motion, the court concludes that the new forum will be convenient for both parties. The Parties have represented that a proposed settlement has been reached which would resolve claims pending in this case and in the *Plummer* Action. It is in line with the interests of justice to transfer this action to the Southern District of Indiana to allow the parties to seek settlement approval in a single forum. If the cases are pending in the same forum, transferring the case would promote efficient administration of justice as only one court would have to provide preliminary approval, class-wide notice, and final approval of the proposed settlement agreement.

For the foregoing reasons, the court grants the parties’ Joint Motion to Lift Stay and Transfer This Action to the Southern District of Indiana. Accordingly, the stay at Dkt. No. 12 is lifted and this action is transferred to the United States District Court for the Southern District of Indiana, Indianapolis Division.

**IT IS SO ORDERED**

September 14, 2018

s/Thomas M. Rose

---

**Judge Thomas M. Rose**

